

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MOHAMED A. HUSSEIN, an individual, and
HASSAN HIRSI, an individual,

Plaintiffs,

v.

AIR SERV CORPORATION, a foreign
corporation,

Defendant.

Case No. 2:16-cv-00278 RSL

**ORDER GRANTING IN PART
PLAINTIFFS' MOTION FOR
ATTORNEY'S FEES AND CLASS
REPRESENTATIVES' INCENTIVE
AWARDS**

WHEREAS, Plaintiffs have submitted authority and evidence supporting Plaintiffs' Motion for Attorney's Fees, Costs and Class Representatives' Incentive Awards; and

WHEREAS, the Court, having considered the pleadings on file and being fully advised, finds that good cause exists for entry of the Order below; now, therefore,

IT IS HEREBY FOUND, ORDERED, ADJUDGED, AND DECREED THAT:

1. Unless otherwise provided herein, all capitalized terms in this Order shall have the same meaning as set forth in the Plaintiffs' Motion for Attorney's Fees, Costs and Class Representatives Incentive Awards.

2. The Court having appointed Badgley Mullins Turner, PLLC and the Law Offices of Daniel Whitmore as Class Counsel.

3. Class Counsel has requested the Court award \$175,000.00, an amount equal to Defendant ABM Aviation, Inc. (formerly operating as Air Serv Corporation) ("Air Serv")'s

1 contribution towards Class Counsel's attorney's fees.

2 4. Defendant agreed to pay Maximum Settlement Amount Three Million, Seventy
3 Thousand, Three Hundred Dollars, and Thirty-Three Cents (\$3,070,300.33) to the Class
4 Members, inclusive of any attorney's fees and costs, administrative fees, and incentive awards.
5 That amount has now been reduced by \$872,789.05, which represents the Opt-Out Employees'
6 total back wages and sick pay.

7 5. The Court finds that attorney's fees in the amount of \$145,000 are fair and
8 reasonable under RCW 49.48.030, the Ordinance ("SeaTac Municipal Code Chapter 7.45"), and
9 Ninth Circuit case law. The Court reaches this conclusion after analyzing: (1) the results Class
10 Counsel achieved; (2) Class Counsels' risk in this litigation; (3) the complexity of the issues
11 presented; (4) the hours Class Counsel worked on the case; (5) Class Counsels' hourly rate;
12 (6) the contingent nature of the fee; and (7) awards made in similar cases.


13 6. Class Counsel has submitted authority and declarations that supports the Court's
14 lodestar cross-check. Applying the reasonable number of hours expended on this litigation to the
15 reasonably hourly rates charged by Class Counsel, the lodestar is \$144,627.89.

16 7. The \$30,000 reduction from the original attorney's fee request shall be allocated
17 among the Class Members per the terms of the Settlement Agreement, resulting in proportionate
18 increases to the Individual Allocable Shares

19 8. This Court also awards \$3,000.00 (\$1,000.00 each) to Plaintiffs Mohamed A.
20 Hussein, Hodan A. Dahir, and Mohamed Yusuf as incentive awards for serving as the class
21 representatives.

22 9. Based on the foregoing findings and analysis, the Court awards Class Counsel
23 \$145,000.00 in attorney's fees.
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2 Dated this 20th day of December, 2018.

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4 HONORABLE ROBERT S. LASNIK
5 UNITED STATES DISTRICT JUDGE
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